

JUN 16 1994

9-23081

June 13, 1994

Docket No. H-122, Room N-2625
US Department of Labor
200 Consitution Ave. NW
Washington, DC 20210

Dear Sirs;

This letter is in response to a new regulation being considered by OSHA regarding smoking in the workplace.

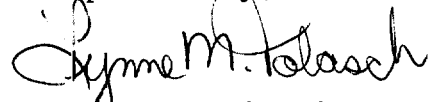
For my particular busines this rule would cause all sorts of hardships. You see, I manage a nursing home with 51 residents. If a new law prohibits smoking in my building, that would include residents. Forcing elderly people to give up smoking or requiring them to go outdoors is a direct violation of their rights.

Also, the employees that care for these residents need to be close and handy in case of emergency. Having to require them to go outdoors or to a separate building would cause potential danger for my residents.

Health is another issue of concern with my employees. I understand how not smoking is healthier for all, but to someone who does smoke and is being forced to not smoke or go outside in all types of weather is just an invitation to respeiratory and psychological problems. Personally, I am always concerned about patient abuse and it would be devastating to suddenly have employees who are irritable because of smoking regulations taking it out on the residents.

What ever happened to everyone's rights? Why suddenly do the rights of the non-smokers become so much more important than the smoker? Shouldn't the decision to quit be a personal choice?

Respectfully,



Lynne M. Tolasch
Administrator